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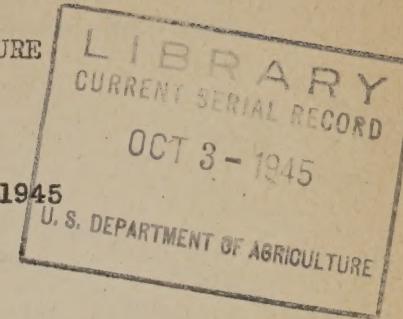
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NER-Memo. 1503

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Adjustment Agency
Washington 25, D.C.

July 24, 1945

TO STATE AND COUNTY OFFICES



SUBJECT: DAIRY PRODUCTION PROGRAM - - - - - No. 67

Re: Reporting Action Taken in Connection with Adulteration
of Milk

A question has been raised as to whether any further investigation is required when a State, County, or Municipal agency certifies in writing that their tests conclusively show that a producer has added water to his milk. Such certifications shall be considered as conclusive evidence of the adulteration of milk and the Dairy Production Payment to the producer shall be withheld, or recovered if already made, for the payment period in which the adulteration occurred.

Copies of the certifications received from State, County or Municipal agencies shall be referred to Leslie R. Horn, Compliance Officer, Office of Investigatory Service, 150 Broadway, New York 7, New York. If, in a particular case, it is determined that further proceedings against the producer are warranted, the procedure outlined in Section IV, as amended, of D.P. - I - February 1945, shall be followed.

Reports of the adulteration of milk other than as provided for above shall be handled in accordance with Section IV, as amended, of D.P. I.

C. Ely Wickham

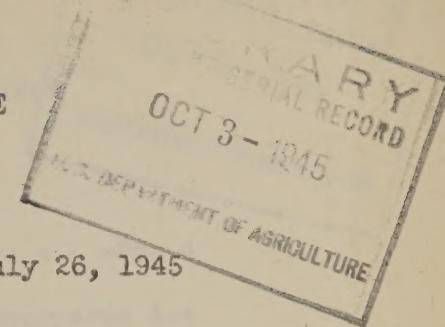
C. Ely Wickham
Chief, Program Operations Section
Northeast Division

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NER-Memo. No. -1504

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Adjustment Agency
Washington 25, D. C.

July 26, 1945



FOR STATE AND COUNTY OFFICES

SUBJECT: FISCAL OPERATIONS, VOUCHERS AND ACCOUNTS No. 213

Re: NER-Memo. No. 1499, dated July 18, 1945, Working
Hours of County Association Employees.

NER-Memo. No. 1499 is hereby revoked. The following is substituted.

We are instructed that the recent change in working hours for Federal employees does not require adjusting working hours of Association employees. They are not Federal employees.

The hours of duty per day and per week for Association employees remain eight hours per day with the provision that County Committees with the approval of the State Committee, may establish a work week consisting of five and one-half eight-hour days.

If the County Committee with the approval of the State Committee reduces the hours of work of a County Association now operating on a forty-eight hour work week, the salaries now paid Association employees may be maintained.

H. L. Manwaring

H. L. Manwaring
Assistant Director
Northeast Division

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NER-Memo. No. 1512

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Adjustment Agency
Washington 25, D.C.

August 10, 1945

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OCT 3 - 1945

U. S. DEPARTMENT OF AGRICULTURE

TO STATE AND COUNTY OFFICES

SUBJECT: SHEEP AND LAMB PRODUCTION PROGRAM - - - - - No. 4

Re: Markets Operating Under the Packers and Stockyards Act

The following memorandum has been forwarded under date of August 7, 1945 by the Packers and Stockyards Division, Office of Marketing Services, Washington, D. C., to all their District Supervisors:

"The program under which subsidy payments are to be made to producers of sheep and lambs becomes effective on August 5.

"Under this program, if sheep or lambs are sold for slaughter to a packer who can furnish a proper certification, the seller will receive, in addition to the amount paid by the packer, a subsidy in varying amounts depending on the time of year, the weight of the animals, and other prescribed conditions.

"Under Section 201.58 of the regulations under the Packers and Stockyards Act, it is the duty of the market agency to sell consigned livestock at the highest available bid. We construe this to mean that if a bid by a packer, or his agent, who can furnish the proper certification, plus the subsidy payment, is greater than the bid by someone else who cannot furnish a certification on which the owner of the animals can collect the subsidy, then the sale should be made to the packer who can furnish the certification, inasmuch as that would constitute a sale at the highest available bid. It is to be understood, of course, that if someone bidding on the livestock, who cannot furnish a certification, makes a bid greater than the packer bid plus the subsidy, then the sale would be made to that bid.

"You should inform agencies at markets under your supervision of this situation. At markets where the sale of livestock is conducted by auction you should advise the market agencies that a statement of the terms and conditions of the sale of sheep and lambs under the subsidy program should be made at the commencement of the sale of each lot. This should be to the effect that all bids made will be received on the basis of the buyer being able to furnish a certification on which the subsidy may be collected. If the buyer cannot furnish such a certification, then his bid must exceed the bid made by a slaughterer, plus the subsidy, if he is to obtain the livestock. In this manner all bidding will be on an equitable, competitive basis.

(over)

"A copy of material issued by the AAA governing subsidy payments is enclosed and a small additional supply will be sent to you as soon as it is available. At those markets where the Market News and Grading Division of the Branch maintains an office, the official in charge of that office will be responsible for furnishing information and answering inquiries concerning the subsidy program. At posted stockyards, where that Division does not have a representative, our supervisors will assume the responsibility of furnishing information and answering inquiries concerning the subsidy program in so far as it relates to sales of livestock at such posted stockyards."

This memorandum applies to all stockyards (including auction markets posted under the provisions of the Packers and Stockyards Act. A list of these markets is attached.



C. Ely Wickham
Chief, Program Operations Section
Northeast Division

Attachment

There is also attached the offer of payment by the Commodity Credit Corporation.

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NER-Memo. No. 1512 *el 1513*

UNITED STATES DEPARTMENT OF AGRICULTURE
Production and Marketing Administration
Field Service Branch
Washington 25, D. C.

August 31, 1945

TO STATE AND COUNTY OFFICES:

SUBJECT: SHEEP AND LAMB PRODUCTION PROGRAM - - - - - No. 4

Re: Markets Operating Under the Packers and Stockyards Act

The following memorandum has been forwarded under date of August 7, 1945 by the Packers and Stockyards Division, Office of Marketing Services, Washington, D. C., to all their District Supervisors:

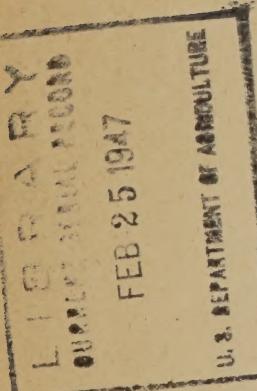
"The program under which subsidy payments are to be made to producers of sheep and lambs becomes effective on August 5.

"Under this program, if sheep or lambs are sold for slaughter to a packer who can furnish a proper certification, the seller will receive, in addition to the amount paid by the packer, a subsidy in varying amounts depending on the time of year, the weight of the animals, and other prescribed conditions.

"Under Section 201.58 of the regulations under the Packers and Stockyards Act, it is the duty of the market agency to sell consigned livestock at the highest available bid. We construe this to mean that if a bid by a packer, or his agent, who can furnish the proper certification, plus the subsidy payment, is greater than the bid by someone else who cannot furnish a certification on which the owner of the animals can collect the subsidy, then the sale should be made to the packer who can furnish the certification, inasmuch as that would constitute a sale at the highest available bid. It is to be understood, of course, that if someone bidding on the livestock, who cannot furnish a certification, makes a bid greater than the packer bid plus the subsidy, then the sale would be made to that bid.

"You should inform agencies at markets under your supervision of this situation. At markets where the sale of livestock is conducted by auction you should advise the market agencies that a statement of the terms and conditions of the sale of sheep and lambs under the subsidy program should be made at the commencement of the sale of each lot. This should be to the effect that all bids made will be received on the basis of the buyer being able to furnish a certification on which the subsidy may be collected. If the buyer cannot furnish such a certification, then his bid must exceed the bid made by a slaughterer, plus the subsidy, if he is to obtain the livestock. In this manner all bidding will be on an equitable, competitive basis.

(over)



"A copy of material issued by the AAA governing subsidy payments is enclosed and a small additional supply will be sent to you as soon as it is available. At those markets where the Market News and Grading Division of the Branch maintains an office, the official in charge of that office will be responsible for furnishing information and answering inquiries concerning the subsidy program. At posted stockyards, where that Division does not have a representative, our supervisors will assume the responsibility of furnishing information and answering inquiries concerning the subsidy program in so far as it relates to sales of livestock at such posted stockyards."

This memorandum applies to all stockyards including auction markets posted under the provisions of the Packers and Stockyards Act. A supply of the lists of these markets has been forwarded to each State office sufficient for one copy to be sent to each county. There is attached a copy of the offer of the Commodity Credit Corporation to make Sheep and Lamb Production Payments.

A. W. Manchester

A. W. Manchester
Director, Northeast Division

Attachment - 1

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Copy 2.

NER-Memo. No. 1514

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Adjustment Agency
Washington 25, D. C.

August 14, 1945

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OCT 3 - 1945

U. S. DEPARTMENT OF AGRICULTURE

TO STATE AND COUNTY OFFICES

SUBJECT: BEEF CATTLE PRODUCTION PROGRAM - - - - - No. 8

Re: Supplement to B.P. - 1, July 1945

Section II, F, "Types of Evidence and Methods of Presenting Evidence", l.o.a. Fifth paragraph, reads as follows:

"The name of the legally authorized slaughterer will be required for all sales on and after July 1, 1945, regardless of where the sale is made."

This paragraph is supplemented by the addition of the following sentence:

"For all sales on and after Monday, September 3, 1945, regardless of where the sale is made, the evidence must include the name and address of the legally authorized slaughterer and (1) in the case of a slaughterer operating under full Federal inspection his establishment number, (2) in the case of a slaughterer certified under WFO 139, his certificate number, and (3) in the case of all other slaughterers the OPA license or permit number must be given."



C. Ely Wickham, Chief
Program Operations Section
Northeast Division

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UNITED STATES DEPARTMENT OF AGRICULTURE
Production and Marketing Administration
Field Service Branch
Washington 25, D. C.

NER-Memo, No. 1522

August 27, 1945

OCT 3 - 1945

TO STATE AID COUNTY OFFICES

U. S. DEPARTMENT OF AGRICULTURE

Re: Sales of Beef Cattle by Market Agencies

The following is an excerpt from a memorandum which was forwarded under date of August 13, 1945, by the Packers and Stockyards Division, Office of Marketing Services, Washington, D. C., to all their District Supervisors:

"Section 201.58 of the regulations under the Act provide that every market agency shall offer livestock consigned to it for sale on the open market and shall sell the livestock at the highest available bid. We construe this to mean that the sale shall be made in such manner as to insure the greatest net returns to the owner or consignor.

"For example, if a bid is made on cattle, eligible for the subsidy payment of 50¢ per cwt., by a legally authorized slaughterer or his agent and the bid, plus the subsidy, is greater than any other offer received from a bidder who could not furnish the owner or consignor a certificate on which to obtain the subsidy of 50¢ per cwt., then the sale should be made, in our opinion, to the bidder whose bid will insure the payment of the subsidy to the owner or consignor as this obviously would result in the highest net returns to such owner or consignor.

"In this connection it is well to note from the enclosed instructions that a purchaser of cattle need not be a legally authorized slaughterer in order for the seller of the cattle to be eligible for the subsidy. Nevertheless, the application of Sec. 201.58 of our regulations would be the same as in the illustration above outlined. There is attached for your information a copy of the instructions put out by the A.A.A. on this subject. You should see that selling agencies at posted stockyards are fully informed of our position."

C. Ely Wickham
Chief, Program Operations Section
Northeast Division

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NER-Memo. No. 1523

UNITED STATES DEPARTMENT OF AGRICULTURE
PRODUCTION & MARKETING ADMINISTRATION
Field Service Branch
Washington 25, D. C.

August 29, 1945.

FOR STATE OFFICES
Northeast Region

SUBJECT: GENERAL ADMINISTRATION

Re: Quarterly Report on Penalty Mailing
and Inventory of Penalty Items.

The instructions as outlined below supersede those previously issued under
NER-Memo. No. 1436, General Administration No. 258, dated March 22, 1945.

It has been decided that the quarterly inventory of all items bearing the
penalty indicia should be eliminated. The report on penalty mailing shall
be continued, however, and the actual count of our mailings from all outlets
must be continued.

Outlined below are the reports required under Public Law 364, 78th Congress,
which will be required beginning with the quarter ending September 30, 1945.

1. Annual Inventory Report:

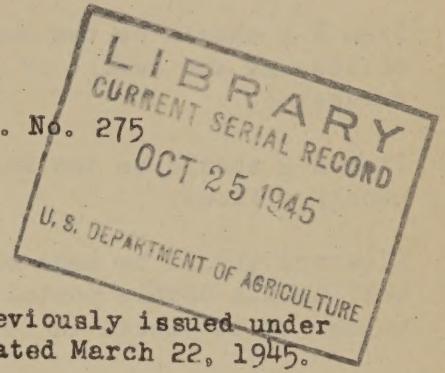
In accordance with the requirements of Section I, Public Law 364, 78th
Congress, relating to the use of penalty mail privileges, this Agency,
through the Division of Service Operations, must submit to the Office of
Budget and Finance, an annual inventory report showing the number of
envelopes, labels, wrappers, cards, tags, and other articles bearing the
penalty indicia, on hand and on order at the close of the fiscal year. In
order for the Division of Service Operations to make this report it will be
necessary that the counties submit their annual inventory to their state offices
as soon after the end of each fiscal year as possible. This inventory must
be broken down into quantities of envelopes, labels, wrappers, cards, tags, etc.

The state offices will consolidate the county and state inventories into one
report covering all materials located in the state and its county offices.

The state offices also will report as of June 30 each year all items on which
deliveries have not been made; reporting envelope orders by purchase order
numbers, and orders for cards, labels, etc., by requisition numbers.

2. Quarterly Report:

The attached form is to be used for reporting quarterly the actual count
of mailings of all items bearing the penalty indicia weighing four (4)
pounds or less.



Page 2 - Quarterly Report on Penalty Mailing
and Inventory of Penalty Items .

Item A-1 should be the total of all B/A-47's covering material on which the penalty indicia was mimeographed and mailed during the quarter.

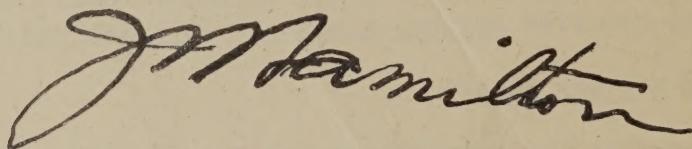
Item A-2 should be an actual count of all items mailed on which the penalty indicia is printed; such as envelopes, cards, labels, wrappers, etc.

Item B-1 should be the number of cards returned to the state and county offices as the result of double postal cards mailed for return information requested.

Item B-2 should be the number of envelopes enclosed for return to state and county offices.

A record should be made of all envelopes enclosed for return replies, as well as all double postal cards, to enable the states to determine the number to be placed in Item C-2.

Items called for in Part C of this report must be accurate as this information is the contributing factor in determining the amount to be paid from the appropriation made for penalty mail purposes.



J. C. Hamilton
Administrative Officer
Northeast Division.

UNITED STATES DEPARTMENT OF AGRICULTURE
PRODUCTION & MARKETING ADMINISTRATION

Report for Quarter Ending _____ Date Submitted _____

State _____ Division _____

A. Number of pieces mailed by state during the quarter

1. Items on which penalty indicia was mimeographed (Permit No. 1001) _____
2. Items on which penalty indicia is printed (envelopes, cards, labels, etc.) _____

Total Items - 1 and 2 _____

B. Number of pieces bearing the penalty indicia returned as a result of requests for information

1. Cards _____

2. Envelopes _____

Total Items - 1 and 2 _____

C. Obsolete material - Cards and envelopes not returned - Spoilage and wastage

1. Material on which the penalty indicia is printed or mimeographed declared obsolete during the quarter (by types, as per itemized schedule attached) _____
2. Return material bearing penalty indicia not returned (by types, as per itemized schedule attached) _____
3. Spoilage and wastage bearing penalty indicia (by types, as per itemized schedule attached. Not to exceed 2% of amount reported as Item A, above) _____

Total Items - 1, 2 and 3 _____

A record should be made, at the time of mailing, of all double postal cards mailed and of envelopes enclosed for returning material to State and County offices. Count double cards as one item at time of mailing. Do not count the enclosed envelope as an item mailed. Deduct the answers to questions 1 and 2 of Part B from the number originally mailed and enter the difference in Part C-2.

